



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 77 Dispur, Monday, 19th February, 2024, 30th Magha, 1945 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

WELFARE OF BODOLAND DEPARTMENT

NOTIFICATION

The 29th January, 2024

No. E-344949/1322.- The Governor of Assam in exercise of the powers conferred by Rule 78(1) of the Bodoland Territorial Council (Election) Rules, 2004 is hereby pleased to constitute the following BTC Election Tribunals with the following District Judges within their respective territorial jurisdiction, to dispose of all election petitions challenging elections under the aforesaid Rules.

Their jurisdiction, headquarters, powers and functions of the BTC Election Tribunals shall be as follows-

- | | |
|------------------------------|---|
| 1. District Judge, Kokrajhar | BTC Election Tribunal
Kokrajhar, Headquarters -Kokrajhar |
| 2. District Judge, Chirang | BTC Election Tribunal
Chirang, Headquarters -Kajalgaon |
| 3. District Judge, Baksa | BTC Election Tribunal
Baksa, Headquarters -Mashalpur |
| 4. District Judge, Udalguri | BTC Election Tribunal
Udalguri, Headquarters -Udalguri |
| 5. District Judge, Tamulpur | BTC Election Tribunal
Tamulpur, Headquarters -Tamulpur |

Jurisdiction- The BTC Election Tribunals shall have jurisdiction to entertain and dispose of election petitions filed before it by any contesting candidate or any voter who is entitled to vote at the election to which the petition relates within a period of thirty days from the date of election of the returned candidate in respect of the validity or propriety of the election.

Powers- The BTC Election Tribunals shall, for the purpose of disposal of the election petition mentioned hereinbefore, shall have all the powers of a Civil Court for the trial of a suit under the Code of Civil Procedure, 1908 in respect of the following matters namely-

- a) Summoning and enforcing of the attendance of any person and examining him on Oath;
- b) Requiring the discovery and production of documents;
- c) Receiving evidence on affidavit;
- d) Requisitioning any public record or copy thereof from any court or office; and
- e) Issuing commissions for examination of witnesses or documents.

Procedure to be followed by the Tribunal—

- (1) The application to be filed under Rule 78 shall be in the form of a Memorandum containing the grounds or reasons for being aggrieved and shall be accompanied by the requisite fees as laid down in the Rules.
- (2) On receipt of the application along with the copies thereof, the Tribunal shall issue notices to the opposite party/parties requiring them to appear and file written statement before it on such date as may be specified by it in the notice. Every such notice shall accompany a copy of the application.
- (3) The Tribunal shall hear the parties, examine such witnesses as may be adduced, examine such documents as may be produced by the parties or obtained by the Tribunal and after hearing, the Tribunal shall pass such order as it may deem fit and proper with reasons thereof.
- (4) The Tribunal, while deciding an application under the Rules, shall follow the procedure of the Civil Court while trying a suit under the Code of Civil Procedure, 1908 as far as may be in respect of the following matters, namely-
 - a) Summoning and enforcing of the attendance of any person and examining him on oath;

- b) Requiring the discovery and production of documents;
- c) Receiving evidence on affidavit;
- d) Requisitioning any public record or copy thereof from any Court or office;
and
- e) Issuing commissions for examination of witnesses or documents;

Any order of the BTC Election Tribunal passed on any election petition under the provisions of the Bodoland Territorial Council (Election) Rules, 2004 shall be final.

MUKESH CHANDRA SAHU,
Principal Secretary to the Government of Assam,
Welfare of Bodoland Department.